

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

WALSH SECURITIES, INC.,

Plaintiff,

v.

CRISTO PROPERTY MANAGEMENT, LTD., a/k/a
G.J.L. LIMITED; DEK HOMES OF NEW JERSEY, INC.;
OAKWOOD PROPERTIES, INC.; NATIONAL HOME
FUNDING, INC.; CAPITAL ASSETS PROPERTY
MANAGEMENT & INVESTMENT CO., INC.; CAPITAL
ASSETS PROPERTY MANAGEMENT, LLC; WILLIAM
KANE; GARY GRIESER; ROBERT SKOWRENSKI, II;
RICHARD CALANNI; RICHARD DiBENEDETTO;
JAMES R. BROWN; THOMAS BRODO; ROLAND
PIERSON; STANLEY YACKER, ESQ.; MICHAEL
ALFIERI, ESQ.; RICHARD PEPSNY, ESQ.; ANTHONY
M. CICALESSE, ESQ.; LAWRENCE CUZZI; ANTHONY
D'APOLITO; DAP CONSULTING, INC.;
COMMONWEALTH LAND TITLE INSURANCE CO.;
NATIONS TITLE INSURANCE OF NEW YORK, INC.;
FIDELITY NATIONAL TITLE INSURANCE CO. OF
NEW YORK; COASTAL TITLE AGENCY; STEWART
TITLE GUARANTY COMPANY; IRENE DiFEO;
DONNA PEPSNY; WEICHERT REALTORS; and
VECCHIO REALTY, INC., d/b/a MURPHY REALTY
BETTER HOMES AND GARDENS,

Defendants.

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:
: Judge Dickinson R. Debevoise
: Magistrate Judge Michael A. Shipp
:

: Civ. A. No. 97-3496

DECLARATION OF EDWARD J. HAYES, ESQ.

Pursuant to 28 U.S.C. § 1746, I, Edward J. Hayes, hereby declare, based on personal knowledge, the following:

1. I am partner at the law firm of Fox Rothschild LLP in Philadelphia, Pennsylvania, and I am admitted *pro hac vice* to appear before this Court as part of these proceedings. [See Docket No. 54].

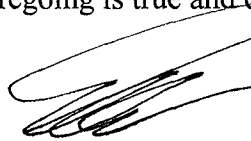
2. I am authorized to take this declaration on behalf of defendants and cross-claim plaintiffs, Nations Title Insurance of New York, Inc. and Fidelity National Title Insurance Co. of New York (collectively, "**Fidelity**").

3. I submit this declaration in support of Fidelity's brief in opposition to the motion to dismiss Fidelity's cross-claims filed by defendant and cross-claim defendant Coastal Title Agency ("**Coastal**").

4. Attached hereto as **Exhibit "A"** is a true and correct copy of an Agency Agreement, dated January 1, 1991, between Coastal and Nations Title Insurance of New York, Inc., f/k/a TRW Title Insurance of New York Inc.

5. Attached hereto as **Exhibit "B"** is a true and correct copy of an Agency Agreement, dated November 1, 1996, between Coastal and Fidelity National Title Insurance Co. of New York.

I declare under penalty of perjury that the foregoing is true and correct.



EDWARD J. HAYES, ESQUIRE

Dated: September 1, 2010